
ASSEMBLY BILL NO. 209—ASSEMBLYMAN MANENDO

FEBRUARY 20, 2009

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing the attendance of certain offenders at meetings of panels of victims of crimes relating to driving under the influence. (BDR 43-872)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to driving under the influence; removing the discretion of a court to choose not to order an offender convicted of certain offenses relating to driving under the influence to attend a meeting of a panel of victims in person; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill removes the discretion of a court to choose not to order an offender
2 who is convicted of an offense relating to driving under the influence to attend a
3 meeting of a panel of victims, regardless of the distance of the meeting from an
4 offender’s residence.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 484.3797 is hereby amended to read as
2 follows:

3 484.3797 1. The judge or judges in each judicial district shall
4 cause the preparation and maintenance of a list of the panels of
5 persons who:

6 (a) Have been injured or had members of their families or close
7 friends injured or killed by a person who was driving or in actual
8 physical control of a vehicle while under the influence of
9 intoxicating liquor or a controlled substance or who was engaging in



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1 any other conduct prohibited by NRS 484.379, 484.3795, 484.37955
2 or 484.379778 or a law of any other jurisdiction that prohibits the
3 same or similar conduct; and

4 (b) Have, by contacting the judge or judges in the district,
5 expressed their willingness to discuss collectively the personal
6 effect of those crimes.

7 ↪ The list must include the name and telephone number of the
8 person to be contacted regarding each such panel and a schedule of
9 times and locations of the meetings of each such panel. The judge or
10 judges shall establish, in cooperation with representatives of the
11 members of the panels, a fee, if any, to be paid by defendants who
12 are ordered to attend a meeting of the panel. The amount of the fee,
13 if any, must be reasonable. The panel may not be operated for profit.

14 2. ~~{Except as otherwise provided in this subsection, if}~~ **If** a
15 defendant pleads guilty or guilty but mentally ill to, or is found
16 guilty or guilty but mentally ill of, any violation of NRS 484.379,
17 484.3795, 484.37955 or 484.379778, the court shall, in addition to
18 imposing any other penalties provided by law, order the defendant
19 to:

20 (a) Attend ~~{}~~ **in person**, at the defendant's expense, a meeting of
21 a panel of persons who have been injured or had members of their
22 families or close friends injured or killed by a person who was
23 driving or in actual physical control of a vehicle while under the
24 influence of intoxicating liquor or a controlled substance or who
25 was engaging in any other conduct prohibited by NRS 484.379,
26 484.3795, 484.37955 or 484.379778 or a law of any other
27 jurisdiction that prohibits the same or similar conduct, in order to
28 have the defendant understand the effect such a crime has on other
29 persons; and

30 (b) Pay the fee, if any, established by the court pursuant to
31 subsection 1.

32 ~~{↪ The court may, but is not required to, order the defendant to
33 attend such a meeting if one is not available within 60 miles of the
34 defendant's residence.}~~

35 3. A person ordered to attend a meeting pursuant to subsection
36 2 shall, after attending the meeting, present evidence or other
37 documentation satisfactory to the court that he attended the meeting
38 and remained for its entirety.

